

1 YITAI HU (SBN 248085)  
2 yitai.hu@alston.com  
3 SEAN P. DEBRUINE (SBN 168071)  
4 sean.debruine@alston.com  
5 ELIZABETH H. RADER (SBN 184963)  
6 elizabeth.rader@alston.com  
7 JANE HAN BU (SBN 240081)  
8 jane.bu@alston.com  
9 JENNIFER LIU (SBN 268990)  
10 celine.liu@alston.com  
11 PALANI P. RATHINASAMY (SBN 269852)  
12 palani.rathinasamy@alston.com  
13 ALSTON & BIRD LLP  
14 275 Middlefield Road, Suite 150  
15 Menlo Park, CA 94025-4008  
16 Telephone: 650-838-2000  
17 Facsimile: 650-838-2001  
18  
19 Attorneys for Plaintiff  
20 ELAN MICROELECTRONICS  
21 CORPORATION  
22  
23 Attorneys for Defendant and  
24 Counterclaim Plaintiff,  
25 APPLE INC.  
26  
27  
28

MATTHEW D. POWERS (Bar No. 104795)  
matthew.powers@tensegritylawgroup.com  
TENSEGRITY LAW GROUP LLP  
201 Redwood Shores Parkway, Suite 401  
Redwood Shores, CA 94065  
Telephone: (650) 802-6000  
Facsimile: (650) 802-6001  
JARED BOBROW (Bar No. 133712)  
jared.bobrow@weil.com  
SONAL N. MEHTA (Bar No. 222086)  
sonal.mehta@weil.com  
DEREK WALTER (Bar No. 246322)  
derek.walter@weil.com  
NATHAN GREENBLATT (Bar No. 262279)  
nathan.greenblatt@weil.com  
WEIL, GOTSHAL & MANGES LLP  
Silicon Valley Office  
201 Redwood Shores Parkway  
Redwood Shores, CA 94065  
Telephone: (650) 802-3000  
Facsimile: (650) 802-3100  
Attorneys for Defendant and  
Counterclaim Plaintiff,  
APPLE INC.

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17  
18

19 ELAN MICROELECTRONICS  
20 CORPORATION,

21 Plaintiff and Counterclaim  
22 Defendant,

23 v.

24 APPLE INC.,

25 Defendant and Counterclaim  
Plaintiff.

Case No. C-09-01531 RS (PSG)

FOURTH STIPULATION AND  
[PROPOSED] ORDER TO EXTEND  
DEADLINES TO ALLOW FOR  
FINALIZATION OF SETTLEMENT

Hon. Richard Seeborg

Defendant Apple, Inc. (“Apple”) and Plaintiff Elan Microelectronics Corporation (“Elan”), by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS, on September 21, 2011, the parties attended a settlement conference before Magistrate Judge Spero and reached an agreement in principle to settle this litigation (D.I. 432);

WHEREAS, on October 24, 2011, the Court entered a Second Stipulation and Order to Extend Deadlines to Allow for Finalization of Settlement (D.I. 436), extending the fact discovery cutoff in this case to November 30, 2011, extending the deadline for Apple to produce certain documents to November 28, 2011, and requiring the parties to work together to propose a revised case schedule in the event a settlement is not finalized;

WHEREAS, the parties continue to work on drafting a settlement agreement to formalize their agreement in principle to settle;

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, through their respective counsel, that, subject to the Court's approval, that the close of fact discovery be further extended to February 10, 2012.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED: December 19, 2011

/s/ *Sean P. DeBruine*

Sean P. DeBruine

ALSTON & BIRD LLP

## Attorneys For Elan Microelectronics Corporation

DATED: December 19, 2011

/s/ Sonal N. Mehta

Sonal N. Mehta

WEIL, GOTSHAL & MANGES LLP  
Attorneys for Apple Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: \_\_\_\_\_

Honorable Richard Seeborg  
United States District Court Judge

**FILER'S ATTESTATION**

I, Sonal N. Mehta, am the ECF User whose ID and password are being used to file this THIRD STIPULATION AND [PROPOSED] ORDER TO EXTEND DEADLINES TO ALLOW FOR FINALIZATION OF SETTLEMENT. In compliance with General Order 45, paragraph X.B. I hereby attest that Sean DeBruine has concurred in this filing.

By: /s/ Sonal N. Mehta  
Sonal N. Mehta